

CASE# 2017-026 3-1
RESOLUTION NUMBER _____

GRANTING VARIANCES
FOR CERTAIN PROPERTY LOCATED AT
3600 N. DIRKSEN PARKWAY, SPRINGFIELD
SANGAMON COUNTY, ILLINOIS

WHEREAS, the Zoning Board of Appeals has presented to the Sangamon County Board, Sangamon County, Illinois, its Findings of Fact and Recommendation that the Sangamon County Board **grant the variances** to the Sangamon County Zoning Ordinance with respect to the following described property, to-wit:

See Exhibit A

WHEREAS, the Petitioner, **Pebbles Rubble, LLC**, has petitioned the Sangamon County Board for a **variance to allow three (3) uses on one parcel: (a) trucking company, (b) paving company, (c) landscaping material sales; a variance to allow a sign with zero (0) feet front yard setback instead of the required ten (10) feet with a three (3) face sign not to exceed three hundred (300) square feet area instead of the required two hundred (200) square feet; a variance to allow a sign with eight (8) feet front yard setback instead of the required ten (10) feet; and, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width; and,**

WHEREAS, a public hearing was held at the Sangamon County Building on **June 15, 2017** after proper notice was posted on said property and given by news publication, as is required by said Ordinance, and all procedural and jurisdictional requirements of the Sangamon County Zoning Ordinance have been met; and,

WHEREAS, the Sangamon County Zoning Board of Appeals has presented to the Sangamon County Board of Sangamon County its Findings of Fact and Recommendation that the Sangamon County Board **grant the variances**; and,

FILED

JUN 28 2017

Don / May

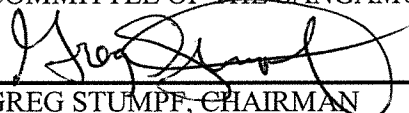
WHEREAS, the Sangamon County Board does hereby adopt the recommendation of the Sangamon County Zoning Board of Appeals.

NOW, THEREFORE, BE IT RESOLVED by the County Board of Sangamon County, Illinois, in session assembled this **11th Day of July, 2017** that the request for a variance to allow three (3) uses on one parcel: (a) trucking company, (b) paving company, (c) landscaping material sales; a variance to allow a sign with zero (0) feet front yard setback instead of the required ten (10) feet with a three (3) face sign not to exceed three hundred (300) square feet area instead of the required two hundred (200) square feet; a variance to allow a sign with eight (8) feet front yard setback instead of the required ten (10) feet; and, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width on the above described property is hereby approved.

Signed and passed by the Sangamon County Board in session on this **11th day of July, 2017**.

Respectfully submitted,

PUBLIC HEALTH, SOLID WASTE & ZONING
COMMITTEE OF THE SANGAMON COUNTY BOARD



GREG STUMPF, CHAIRMAN

DAVID MENDENHALL, VICE CHAIRMAN

CRAIG HALL

SAM SNELL

ABE FORSYTH

JASON RATTIS

LINDA DOUGLAS WILLIAMS

ANNETTE FULGENZI

LINDA FULGENZI

LISA HILLS

MIKE SULLIVAN

ROSE RUZIC

ATTEST:

SANGAMON COUNTY CLERK

COUNTY BOARD CHAIRMAN

EXHIBIT A

That part of the Northeast Quarter of the Southwest Quarter of Section 12, Township 16 North, Range 5 West of the Third Principal Meridian, lying North of the North Right of Way Line of Bypass 66 and West of the Illinois Terminal Railroad.

AND

That part of the Northwest Quarter of Section 12, Township 16 North, Range 5 West of the Third Principal Meridian more particularly described as follows:

Beginning at a stone at the center of said Section 12, thence West along the South line of said Northwest Quarter measure 400.6 feet; thence North 76 degrees 19 minutes West, measure 16.15 feet; thence North 51 degrees 34 minutes West along the North Right of Way Line of Bypass 66, measure 90.45 feet; thence deflecting to the right 90 degrees, measure 210 feet; thence deflecting to the left 90 degrees, measure 120 feet; thence deflecting to the right 90 degrees, measure 90 feet; thence deflecting to the left 90 degrees, measure 120 feet; thence deflecting to the right 90 degrees, measure 300 feet; thence deflecting to the left 90 degrees, measure 738.8 feet; thence deflecting to the left 91 degrees 04 minutes, measure 580 feet to a point on the North Right of Way Line of Bypass 66; thence deflecting to the right 91 degrees 04 minutes, measure along said North line 56.75 feet to a point on the Easterly Right of Way Line of the St. Louis & Chicago R.R. Co.; thence deflecting to the right 66 degrees 05 minutes measure along said Easterly Right of Way 902.10 feet to a point on the Easterly Right of Way of the Chicago & Mississippi Railroad Co.; thence deflecting to the right 12 degrees 58 minutes, measure along said Easterly Right of Way 157.2 feet; thence deflecting to the right 63 degrees 57 minutes, measure 962 feet to a point in the East line of the Northwest Quarter of Section 12; thence South along said East line of said Northwest Quarter, measure 1723 feet to the point of beginning,

EXCEPTING THEREFROM THAT PART MORE PARTICULARLY DESCRIBED AS FOLLOWS:

Commencing at the Southeast corner of said Northwest Quarter; thence North 90 degrees 00 minutes 00 seconds West along the South line of said Northwest Quarter, a distance of 372.00 feet to a point of beginning. From said point of beginning; thence continuing North 90 degrees 00 minutes 00 seconds West along said South line, a distance of 34.00 feet; thence North 70 degrees 17 minutes 19 seconds West, a distance of 16.46 feet to the Northerly Right of Way Line of U.S. 66 Bypass; thence North 53 degrees 15 minutes 56 seconds West along said Northerly Right of Way Line, a distance of 90.45 feet; thence North 36 degrees 44 minutes 08 seconds East, a distance of 210.00 feet; thence North 53 degrees 15 minutes 56 seconds West, a distance of 120.25 feet; thence North 36 degrees 44 minutes 04 seconds East, a distance of 90.00 feet; thence North 53 degrees 15 minutes 56 seconds West, a distance of 120.25 feet; thence North 36 degrees, 44 minutes 04 seconds East, a distance of 300.00 feet; thence North 53 degrees 15 minutes 56 seconds West, a distance of 738.80 feet; thence North 35 degrees 40 minutes 04 seconds East, a distance of 133.00 feet; thence South 53 degrees 15 minutes 56 seconds East, a distance of 799.10 feet; thence South 08 degrees 27 minutes 52 seconds West, a distance of

667.43 feet; thence South 36 degrees 44 minutes 09 seconds West, a distance of 120.00 feet to the point of beginning.

AND

Part of the Northwest Quarter of Section 12, Township 16 North, Range 5 West of the Third Principal Meridian, Sangamon County, Illinois, being more particularly described as follows:

Commencing at the Southeast corner of said Northwest Quarter; thence North 90 degrees 00 minutes 00 seconds West along the South line of said Northwest Quarter, a distance of 372.00 feet to the point of beginning. From said point of beginning; thence continuing North 90 degrees 00 minutes 00 seconds West along said South line, a distance of 34.00 feet; thence North 70 degrees 17 minutes 19 seconds West, a distance of 16.46 feet to the Northerly Right of Way Line of U.S. 66 Bypass; thence North 53 degrees 15 minutes 56 seconds West along said Northerly Right of Way Line, a distance of 90.45 feet; thence North 36 degrees 44 minutes 08 seconds East, a distance of 210.00 feet; thence North 53 degrees 15 minutes 56 seconds West, a distance of 120.25 feet; thence North 36 degrees 44 minutes 04 seconds East, a distance of 90.00 feet; thence North 53 degrees 15 minutes 56 seconds West, a distance of 120.25 feet; thence North 36 degrees 44 minutes 04 seconds East, a distance of 300.00 feet; thence North 53 degrees 15 minutes 56 seconds West, a distance of 738.80 feet; thence North 35 degrees 40 minutes 04 seconds East, a distance of 133.00 feet; thence South 53 degrees 15 minutes 56 seconds East, a distance of 799.10 feet; thence South 08 degrees 27 minutes 52 seconds West, a distance of 667.43 feet; thence South 36 degrees 44 minutes 09 seconds West, a distance of 120.00 feet to the point of beginning.

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RECAP

(For County Board Use)

COUNTY BOARD MEMBER: #16 NAME: **Greg Stumpf**

DOCKET NUMBER: **2017-026**

ADDRESS: **3600 N. Dirksen Parkway, Springfield, IL 62702**

PETITIONER: **Pebbles Rubble, LLC**

PRESENT ZONING CLASSIFICATION: **“I-1” Restricted Industrial District.**

REQUESTED ZONING CLASSIFICATION: **A variance to allow three (3) uses on one parcel: (a) trucking company, (b) paving company, and (c) landscaping material sales; a variance to allow a sign with zero (0) feet front yard setback instead of the required ten (10) feet with a three (3) face sign not to exceed three hundred (300) square feet area instead of the required two hundred (200) square feet; a variance to allow a sign with eight (8) feet front yard setback instead of the required ten (10) feet; and, a variance to allow the lot depth to exceed two and one-half (2.5) times the lot width.**

AREA: **30.65 acres**

COMMENTS: **None**

OBJECTORS: **None**

PLANNING COMMISSION RECOMMENDATION: **Recommend approval. The subject property is fairly large and has a history of multiple uses dating back to Zoning Case #1988-29 when the property was first rezoned to I-1. Denying the petitioner multiple uses on the subject property after approximately thirty years of having many businesses on the property could constitute a hardship. The essential character of the corridor is unlikely to be impaired by the requested sign variances as there appears to be a discrepancy in the**

size of signage allowed between the City and the County for industrially zoned property. Specifically, there is I-2 zoned property in the City of Springfield (which allows approximately 300 square feet of ground signage) approximately 400 feet south. There is some hardship in that a surrounding zoning authority allows a larger sign along the northern Dirksen Parkway corridor. The subject property fronts a heavily traveled four-lane highway and allowing the petitioner to place the signs within the front yard setback areas allows more visibility for the three businesses without restricting visibility for vehicles traveling on Dirksen Parkway. The Standards for Variation are met.

SANGAMON COUNTY BOARD OF APPEALS
RECOMMENDATION:

Approval of Staff Recommendation.


RECORDING SECRETARY

SANGAMON COUNTY ZONING BOARD OF APPEALS
SANGAMON COUNTY, ILLINOIS

IN THE MATTER OF THE PETITION OF:) DOCKET NO: **2017-026**
Pebbles Rubble, LLC)
)
) PROPERTY LOCATED AT:
) **3600 N. Dirksen Parkway**
) **Springfield, IL 62702**

RECOMMENDATION OF THE BOARD OF APPEALS

THIS MATTER, Coming on for a hearing before the Sangamon County Zoning Board of Appeals of Sangamon County, Illinois, and it appearing to said Board that a petition for **variances** of the Zoning Regulations of said County has been filed herein by the above captioned petitioner (s); that legal publication has been made pursuant to law; and that a public hearing was held on **June 15, 2017** pursuant to law; and that said Board took testimony of witnesses, examined the evidence, and otherwise being fully advised in the premises, therefore finds as follows:

1. That said Board has jurisdiction to consider the petition filed herein.
2. That the above-captioned petitioner(s) is the owner(s) and/or has a beneficial interest in, contract to purchase, or is the County Board Member representing the property commonly known as: **3600 N. Dirksen Parkway, Springfield, IL 62702** and more particularly described as:

See Exhibit A

- 3. That the present zoning of said property is **“I-1” Restricted Industrial District.**
- 4. That the present land use of said property is a **trucking company, paving company, and landscaping material sales.**
- 5. That the proposed land use of said property is a **trucking company, paving company, and landscaping material sales.**
- 6. That the requested **variances** of said property are **for a variance to allow three (3) uses on one parcel: (a) trucking company, (b) paving company, (c) landscaping material sales; a variance to allow a sign with zero (0) feet front yard setback instead of the required ten (10) feet with a three (3) face sign not to exceed three hundred (300) square feet area instead of the required two hundred (200) square feet; a variance to allow a sign with eight (8) feet front yard setback instead of the required ten (10) feet; and, a variance to allow the lot depth to be greater than two and one-half (2 ½) times the lot width.**
- 7. That required findings and standards of the Sangamon County Board of Appeals are accurately stated on the attached exhibit(s).
- 8. The evidence adduced at the hearing **does** support the proposition that the adoption of the proposed **variances** are in the public interest and is not solely in the interest of the petitioner(s).

IT IS, THEREFORE, the recommendation of the Sangamon County Zoning Board of Appeals to the County Board of Sangamon County that the requested **variances** be **approved.**


 CHAIRMAN 

MINUTES OF THE
SANGAMON COUNTY ZONING BOARD OF APPEALS

There was a motion by Zoning Board Member, **Andrew Spiro**, to concur with the findings of fact and recommendation of the Regional Planning Commission and recommend to the County Board that the petition be **approved** which was duly seconded by **Don Wulf**.

The vote of the Board was as follows:

YES: **Charles Chimento, Tony Mares, Don Wulf, Andrew Spiro, Larry Beaty**

NO:

PRESENT:

ABSENT:


RECORDING SECRETARY

**RECOMMENDED STANDARDS FOR USE VARIATIONS
(THREE USES ON ONE PARCEL: TRUCKING COMPANY, PAVING COMPANY,
& LANDSCAPING MATERIAL SALES)**

Case #: **2017-026**

Address: **3600 N. Dirksen Parkway, Springfield**

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of the zoning ordinance be varied as authorized in Section 17.66.010 thereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the variance is justified by a showing of special circumstances demonstrating practical difficulties or particular hardship in the way of carrying out the strict letter of the Zoning Regulations.

The subject property is fairly large and has a history of multiple uses dating back to Zoning Case #1988-29 when the property was first rezoned to I-1. Denying the petitioner multiple uses on the subject property after approximately thirty years of having many businesses on the property could constitute a hardship.

- (ii) that the variance is compatible with the trend of development in the area.

The trend of development in the area appears to be industrial especially being located along a busy highway. The businesses proposed are consistent with this trend.

- (iii) that the variance will benefit the community and be in harmony with the general purpose and intent of the Zoning Regulations.

The industrial zoning and the lot area (30.65 acres) will support the three proposed uses on the subject property. Also, it is generally a good planning principle and benefit to the community to locate industrial uses in an industrial area.

- (iv) that the variance will not create a negative impact on the area, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

Negative impacts are not anticipated in granting the requested variance.

**SANGAMON COUNTY
RECOMMENDED - STANDARDS FOR VARIATIONS**

Case #: 2017-026

Address: 3600 N. Dirksen Parkway, Springfield

The Zoning Board of Appeals shall not recommend to the Sangamon County Board that the regulations of this ordinance be varied as authorized in F. (1) hereof, unless it shall make findings of fact based upon the evidence presented to it in each specified case:

- (i) that the property in question cannot be economically used or yield a reasonable return, if permitted to be used only for the conditions allowed by the regulations.

There is I-2 zoned property in the City of Springfield (which allows approximately 300 square feet of ground signage) approximately 400 feet south. There is some hardship in that a surrounding zoning authority allows a larger sign along the northern Dirksen Parkway corridor. The subject property fronts a heavily traveled four-lane highway and allowing the petitioner to place the signs within the front yard setback areas allows more visibility for the three businesses without restricting visibility for vehicles traveling on Dirksen Parkway.

- (ii) that the plight of the owner is due to circumstances unique to the property and not generally applicable to other property in the area.

A sign was previously located zero feet off the front yard setback for a former business on the subject property and now the petitioner has constructed an improved sign at that location requiring a variance request. The entrance to the subject property sits at the end of a long curve which has an increase in elevation as well as a long dense vegetation line, particularly for vehicles entering the subject property from the south. Given the change in elevation and this thick vegetation line, there is some plight in that it may be difficult for visitors to the site to identify the property if the sign is the size allowed by code.

- (iii) that the variation, if granted, will not alter the essential character of the locality, impair an adequate supply of light and air to adjacent property, increase the congestion of traffic, or diminish or impair property values in the locality.

The essential character of the corridor is unlikely to be impaired by the requested sign variances as there appears to be a discrepancy in the size of signage allowed between the City and the County for industrially zoned property. The signs do not affect traffic visibility when exiting onto Dirksen Parkway. Negative impacts over existing conditions pertaining to the other factors are not anticipated.